IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8901 OF 2004

1. Smt Shailadevi Damodarprasad
Bhadani and ors .. Petitioners

Vs

1. Shri Harishchandra Anant Pandit
and ors. .. Respondents

Mr.R.P.Poonawala with Mr Y.R.Shah, for the petitioners
Mr Chitnis i/b M/s Wadia Ghandy & Co. for R.no. 25
Mr D.A.Patil, AGP for respondent nos 28 to 30.

CORAM : D.B.BHOSALE,J.

DATE : 25th November, 2004.

PC:

1. Heard the learned counsel for the parties.

2. Mr.Poonawala, learned counsel for the petitioners, submits that he is not pressing this petition and the petitioners would be satisfied if they are given liberty to approach the appropriate authority for demarcation of the boundaries of the property in dispute as described in the Plaint (Regular Civil Suit No.199/2004). I am satisfied that the following order will meet the ends of

justice.

(i) The writ petition is disposed of as not pressed.

(ii) It is open for the petitioners to apply for demarcation of the boundaries of the property in dispute as described in the Plaint (Regular Civil Suit No.199 of 2004) within one week from today. If such application is filed, the concerned authority to act on the request of the petitioners. as expeditiously as possible and preferably within a period of four weeks therefrom.

(iii) Needless to state that the petitioners will give notice to the respondents. While granting this liberty I shall not be understood to have examined the merits of the case and expressed any opinion whatsoever thereon.

3. Parties and authorities to act on authenticated copy of this order which may be made available to them.

(D.B.BHOSALE, J.)